# BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of ----)

JOHN HOANG LE

DOCKET NO. 2006-0253

Notice of Failure to Comply With Hawaii Revised Statutes and Commission's Regulations; Order to Show Cause Why Respondent's Operating Authority Should Not Be Suspended or Revoked.

ORDER NO. 22780

Chief Clerk of the commission

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Notice of Failure to Comply
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Docket No. 2006-0253
Order No. 22780

## NOTICE OF VIOLATION, ORDER TO SHOW CAUSE, AND NOTICE OF HEARING

JOHN HOANG LE ("Respondent") is the holder of a certificate of public convenience and necessity ("Certificate"), issued pursuant to Hawaii Revised Statutes ("HRS") § 271-12. Under Certificate No. 1563-C, Respondent is authorized to transport passengers by motor vehicle over irregular routes on the island of Oahu.

On October 16, 2002. Respondent was Citation No. 0799, with an accompanying civil penalty Since Respondent did not pay the citation within fifteen (15) days of receipt of the citation or request a contested hearing on the citation within twenty (20) days of receipt of the citation, the citation was deemed to be a final order of the commission, pursuant to Hawaii Administrative Rules 6-68-21(f)(1). The commission sent bills collection to Respondent on December 16, 2002 and February 13, 2003, requesting payment of the penalty. Respondent has not

complied with the commission's order by failing to pay the penalty imposed by the commission.

HRS § 271-19 and HAR § 6-68-32(b) authorize the commission, after notice and hearing, to suspend or revoke any Certificate, in part or in whole, if the commission finds that the holder violated any provision of HRS chapter 271. Accordingly, the commission may suspend or revoke Respondent's Certificate for failure to comply with the legal requirements set forth above, unless Respondent is able to show cause why such suspension or revocation should not occur.

#### THE COMMISSION ORDERS:

- 1. Respondent shall appear at 465 South King Street, Room B3, Honolulu, Hawaii 96813, at 9:00 a.m., on September 27, 2006, to show cause why Respondent's Certificate should not be suspended or revoked for failure to comply with the legal requirements set forth in this order.
- 2. Respondent may be represented by counsel. If Respondent does not retain counsel, Respondent may be represented at the hearing as follows: (a) an individual may appear on his or her own behalf; (b) a partner may represent a partnership; and (c) an officer or authorized employee of a corporation, trust, or association may represent the corporation, trust, or association.
- 3. If Respondent fails to appear at the scheduled hearing, Respondent's Certificate shall be revoked.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

Carlito P. Caliboso, Chairman

John E. Cole, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou Commission Counsel

2006-0253.eh

### CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22780 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS DIVISION OF CONSUMER ADVOCACY P. O. Box 541 Honolulu, HI 96809

JOHN HOANG LE 2222 Fern Street, #2 Honolulu, HI 96826

Honolulu, HI 96826 (CM #7006 0100 0002 0376 0284)

Karen Higashi

DATED: AUG 2 2 2006